

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PHILLIP GIPSON,

Petitioner,

v.

ROBERT HOREL,

Respondent.

NO. C08-2526 TEH

ORDER TO SHOW CAUSE

The Court is in receipt of Petitioner's application for writ of habeas corpus. Because it does not "appear[] from the application" that Petitioner is not entitled to habeas relief, the Court hereby orders Respondent "to show cause why the writ should not be granted." 28 U.S.C. § 2243. Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of the Court shall serve by certified mail a copy of this order upon Respondent's attorney, the Attorney General of the State of California. This case has been designated for electronic filing, and Respondent's attorney shall immediately register with the Court's electronic case filing ("ECF") system.

2. On or before **July 28, 2008**, Respondent shall file and serve an answer showing cause why this Court should not issue a writ of habeas corpus. Respondent's answer shall conform in all respects to Rule 5 of the Rules Governing § 2254 cases. In addition, Respondent shall file and serve with his answer a copy of all portions of the administrative record that have been transcribed previously and that are relevant to a determination of the issues presented by the petition.

1 3. If Petitioner wishes to respond to the answer, he shall do so by filing a traverse  
2 with the Court and serving it on Respondent on or before **August 25, 2008.**

3  
4 **IT IS SO ORDERED.**

5  
6 Dated: 05/23/08



THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT